

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIC MARTIN,

Plaintiff,

No. 12-14286

vs.

Hon. Gerald E. Rosen

S. KAZULKINA,

Defendant.

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
AFFIRMING MAGISTRATE JUDGE'S DECEMBER 8, 2015 ORDER

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 13, 2016

PRESENT: Honorable Gerald E. Rosen
United States District Judge

Eric Martin, an inmate at the Ionia Correctional Facility, filed a § 1983 civil rights action alleging that his constitutional rights were violated when he was forced to take psychotropic medications. On July 24, 2013, the court revoked Martin's *in forma pauperis* status and dismissed his complaint pursuant to 28 U.S.C. § 1915(g), the "three strikes rule," because he had previously filed three frivolous lawsuits. Martin appealed the district court's order and judgment to the Sixth Circuit Court of Appeals. On February 2, 2015, the Court of Appeals vacated the court's judgment and remanded the matter for further proceedings.

Since the case was remanded, Plaintiff has filed numerous motions which have been denied by the Magistrate Judge. Presently before the Court are Objections filed by Plaintiff to the Magistrate Judge's Order denying his Motion for the Court to provide him with copies of the Federal Rules of Civil Procedure and the Federal Rules of Evidence. In denying Plaintiff's Motion, the Magistrate Judge noted the long protracted nature of the proceedings in this case. She further observed that most of Plaintiff's work on the case is done -- which Plaintiff does not dispute. The Magistrate Judge further noted that the federal rules of civil procedure are "too voluminous to mail," and that, as a consequence, broad requests for the court to supply copies of the rules are routinely denied. *See* 12/08/15 Order, p. 1, Dkt. # 77, and cases cited therein. Therefore, the Magistrate Judge ordered that "unless and until Plaintiff narrows the scope of his request, the request will be denied without prejudice to his filing a narrowed request" with respect to both the rules of civil procedure and the rules of evidence. *Id.* at p. 2.

Plaintiff, however, has made no effort whatsoever to narrow his request. Rather, he states in his Objections that he "do[es] not have to" narrow his request "nor is it appropriate to deny [him] *all* of the civil rules, rules of evidence, all of the time" because "at any unexpected time, [he] may have to file a motion [or] objection," and, so, he "need[s] all of them, both the general [and] local court rules to choose the right mode of action." Plaintiff's assertions do not demonstrate that the Magistrate Judge's ruling was clearly erroneous or contrary to law.

Moreover, Plaintiff does not dispute that the Federal Rules of Civil Procedure and the Federal Rules of Evidence are available to him from the prison law library. That he is not satisfied with the way the library drops the rule books off for him to use in the unit is not a basis for the Court to provide him with his own copies of the rules.

For all of the foregoing reasons,

IT IS HEREBY ORDERED that Plaintiff's objections to the Magistrate Judge's December 8, 2015 Order are OVERRULED. Accordingly,

IT IS FURTHER ORDERED that the Magistrate Judge's Order [Dkt. # 77] is AFFIRMED.

s/Gerald E. Rosen
United States District Judge

Dated: January 13, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 13, 2016, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135